

APPLICATION FOR U.S. PATENT TRANSMITTAL FORM

November 18, 2003
Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAILING label number: EU640981617US
Date of Deposit: November 18, 2003

EU 640981617 US

22581 U.S. PTO
10/715748

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventors: Chiruvolu et al

For: Network System With Color-Aware Upstream Switch Transmission Rate Control
In Response To Downstream Switch Traffic Buffering

Enclosed are: 40 pages of specification (including claims)

2 sheets of formal drawings

executed Declaration and Power of Attorney

Assignment with cover sheet

Non-Publication Request Under 35 U.S.C. 122(b)(2)(B)(i)

Application Data Sheet

Information Disclosure Statement

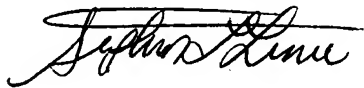
*This application claims priority, under 35 U.S.C. §119, of U.S. Provisional
Application No. 60/450,486, filed February 27, 2003*

| FEE Calculation | | | | | FEE |
|--------------------|--------|-----|-------|------------|--------|
| | | | | Basic Fee | 770 |
| | Number | | Extra | Rate | |
| Total Claims | 36 | -20 | 16 | 18 | 288 |
| Independent Claims | 4 | -3 | 1 | 86 | 86 |
| | | | | Assignment | 40 |
| | | | | Total Fees | \$1184 |

A check for the filing fee is enclosed in the amount of the TOTAL FEES set forth in the above table. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to deposit account number 01-1615 of Anderson, Levine & Lintel, L.L.P. **A duplicate copy of this sheet is enclosed.**

All correspondence regarding this application may be directed to Applicants' attorney at the below listed telephone number and address.

Respectfully submitted,



Stephen L. Levine
Reg. No. 33,413

Correspondence Address

PTO Cust. No.: 024587

Direct Telephone Calls To:
Jessica W. Smith (972) 477-9128

**NONPUBLICATION REQUEST
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

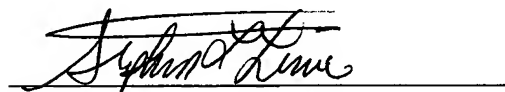
First Named Inventor: Chiruvolu

Title: Network System With Color-Aware Upstream Switch Transmission Rate
Control In Response To Downstream Switch Traffic Buffering

Attorney Docket No.: 139145USNP

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).



Stephen L. Levine

Reg. No. 33,413

November 18, 2003

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**